

package after closing and reach you in this condition * * * Sterilized * * * The sterility of contents of this package is assured by the sterilometer contained therein. This instrument is used in standard hospital practice to assure sterility of surgical dressings. Caulk has adapted it for absorbent points so that the dentist may have assurance of the sterility of each individual package. The sterilometer is placed in the package before sterilizing. When sterilization is accomplished the sensitized indicator of the sterilometer turns black, as will be noted when the inclosed sterilometer is examined"; (rolls, carton) "Absorbent cotton rolls Sterilized * * * The goods in this container have been sterilized after packaging * * * Method of sterilization—Exposure in an autoclave to live steam under 15 pounds pressure for a sufficient period of time to assure sterility," (circular) "The material in this container has been scientifically sterilized After Final Packaging in the sealed units in which it is inclosed. The method of sterilization used is accepted hospital practice, consisting of exposure to live steam in the autoclave at 15 pounds pressure (260 deg. F.) for an adequate period to assure sterility. * * * Bacteriological tests are made regularly to substantiate the adequacy of the sterilization process. Only this standard hospital sterilization produces absorbents suitable for use in the mouth. As a result of this thorough sterilization by steam under pressure * * * [picture of an autoclave] This is a Caulk autoclave where all Caulk dental cotton absorbents are sterilized by live steam After Final Packaging," (ribbon) "Dental Absorbent—Sterilized."

On March 24 and 28, 1939, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30398. Adulteration and misbranding of ether. U. S. v. 479 Cans of Ether for Anesthesia. Default decree of condemnation and destruction. (F. & D. No. 44529. Sample Nos. 36022-D, 36030-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to contain peroxide in 4 of the 20 cases examined.

On December 14, 1938, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 479 cans of ether at San Francisco, Calif.; alleging that the article had been shipped on or about September 3, 1937, by Mallinckrodt Chemical Works from St. Louis, Mo.; and charging adulteration and misbranding in violation of the Foods and Drugs Act.

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and it differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia and its own standard of strength, quality, and purity was not stated on the label.

It was alleged to be misbranded in that the statements on the label, "Ether For Anesthesia * * * Fully Conforms to all requirements of the U. S. P. XI," were false and misleading since it did not fully conform to all requirements of the United States Pharmacopoeia XI in that it contained peroxide.

On March 8, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30399. Misbranding of Prunitone Liver Pills, Bloodine, and Cre-O-Tol. U. S. v. Clarence E. Worthen (American Proprietary Syndicate and American Drug Sales Co.). Plea of guilty. Sentence suspended and defendant placed on probation for 1 year. (F. & D. No. 40806. Sample Nos. 54778-C, 54780-C, 54781-C.)

The labeling of these products bore false and fraudulent curative and therapeutic claims and other misrepresentations.

On May 3, 1938, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Clarence E. Worthen, trustee in a declaration of trust for the American Proprietary Syndicate and trading as the American Drug Sales Co. at Malden, Mass., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about July 29, 1937, from the State of Massachusetts into the State of Maine, of quantities of the above-described drugs, which were misbranded. The articles were labeled in part variously: (Prunitone Liver Pills) "Prunitone Laboratories Boston Mass."; (Bloodine)

"Sold Only By Bloodine Co. Boston, Mass."; (Cre-O-Tol) "Sold by American Proprietary Co., Inc., Malden, Mass."

Analyses showed that the Prunitone Pills consisted of small, pink, sugar-coated pills containing aloes, podophyllum, phenolphthalein, strychnine, and brucine; that the Bloodine consisted essentially of a small proportion of tartaric acid, a trace of an antimony compound, alcohol (22.1 percent by volume), sugar, and water colored with a red dye; and that the Cre-O-Tol consisted of soap, water, coal-tar neutral oils, and phenols. Bacteriological examination showed that the Cre-O-Tol was not an antiseptic at a dilution of 1 teaspoonful to a quart of water.

The Prunitone Pills were alleged to be misbranded in that certain statements in the labeling regarding their curative and therapeutic effects falsely and fraudulently represented that they were effective to cleanse the system and purify the blood; effective in the treatment of torpid liver, dizziness, sick headache, and all diseases of the stomach, liver, and bowels; effective in the treatment of liver and bowel troubles, bad taste in the mouth, dyspepsia, indigestion, tired feeling and nervousness; effective in the treatment of liver ills; and effective to act gently yet thoroughly upon the liver and digestive organs. They were alleged to be misbranded further in that the name "Prunitone," borne on the carton and bottle labels, together with the design of a cluster of prunes on the carton were false and misleading since they represented that the therapeutic activity of the article was due to prunes or derivatives of prunes; whereas its therapeutic activity was due to other substances, namely, aloes, podophyllum, and phenolphthalein.

The Bloodine was alleged to be misbranded in that certain statements in the label regarding its curative and therapeutic effects falsely and fraudulently represented that it was effective as a tonic for the blood. It was alleged to be misbranded further in that the statement "Not Over 45% Alcohol," borne on the bottle label, was false and misleading in that the said statement represented that the article contained substantially 45 percent of alcohol; whereas it contained much less than represented, namely, approximately 22.5 percent of alcohol. It was alleged to be misbranded further in that it contained alcohol and its package failed to bear on its label a statement of the quantity or proportion of alcohol contained therein.

The Cre-O-Tol was alleged to be misbranded in that certain statements in the labeling regarding its curative and therapeutic effects, falsely and fraudulently represented that it was effective as a treatment for aching feet and to reduce swellings quickly and to relieve soreness; effective as a treatment for cuts, burns, and wounds, and to relieve pain, to prevent infection, and to quicken healing; effective as a gargle for sore throat and as a treatment for diseased gums; and effective as a douche and to reduce inflammation. It was alleged to be misbranded further in that the statement "Antiseptic and Disinfectant," borne on the bottle label, was false and misleading since it represented that the article was an antiseptic and disinfectant in the dilutions recommended for use on the body; whereas it was not an antiseptic and disinfectant in the dilutions recommended for use on the body.

The information charged that the Cre-O-Tol was misbranded further in violation of the Insecticide Act of 1910, as reported in notice of judgment No. 1666 published under that act.

On February 21, 1939, the defendant having entered a plea of guilty, the court suspended imposition of sentence and placed the defendant on probation for 1 year.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30400. Adulteration and misbranding of cotton swab applicators. U. S. v. 31 Boxes of E-Z Sanitary Cotton Swab Applicators. Default decree of condemnation and destruction. (F. & D. No. 44477. Sample No. 26469-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be contaminated with viable micro-organisms. It was labeled to indicate that it contained a substantial amount of boric acid or other borate, but contained but a trace of such borate.

On or about December 6, 1938, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 31 boxes of the